

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROGER KIRK,

Plaintiff,

Civil Case No. 07-CV-14146

v.

DIST. JUDGE PAUL D. BORMAN

MICHAEL KULWICKI, ET AL.,

MAG. JUDGE MONA K. MAJZOUN

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION IN FAVOR OF DENYING DEFENDANTS
MOTION TO DISMISS**

Before the Court is the Magistrate Judge's February 25, 2008 Report and Recommendation in favor of denying Defendants' Motion to Dismiss. (Dkt. No. 21). Having reviewed that Report and Recommendation, and there being no objections, the Court enters as its findings and conclusions the Report and Recommendation **DENYING** Defendants' Motion to Dismiss.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: July 21, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 21, 2008.

s/Denise Goodine

Case Manager